



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE

REFER TO FILE: **EP-2**

April 24, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012-2756

Dear Supervisors:

**ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE
LENNOX GARBAGE DISPOSAL DISTRICT
SUPERVISORIAL DISTRICT 2
4 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Receive and file the report entitled Annual Garbage Collection and Disposal Service Fee Report, Fiscal Year 2003-04, for the Lennox Garbage Disposal District (Enclosure A).
2. Set a date for a public hearing on the proposed Garbage Collection and Disposal Service Fee of \$228 per refuse unit per year and for collection of the fee on the tax roll.
3. Instruct the Executive Officer-Clerk of the Board of Supervisors to advertise, in English and Spanish, the legal Notice of Hearing in a newspaper of general circulation on two successive weeks prior to the hearing (Enclosure B).
4. Instruct the Director of Public Works to notify the property owners of all identified parcels of real property within the District by U.S. mail of the amount of the District's Service Fee to be imposed upon each parcel; the basis for calculating the Service Fee; the reason for the Service Fee; as

well as the date, time, and location of the above public hearing not less than 45 days prior to the date set for the public hearing.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed Ordinance adopting Part 15, Lennox Gargage Disposal District, Chapter 20.90.700 et seq., of the Los Angeles County Code (Enclosure C) is for the purpose of meeting operating expenses and therefore exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.
2. At the conclusion of the public hearing, in the event of no majority protest, introduce, waive reading, and adopt the proposed Ordinance adopting Part 15, Lennox Garbage Disposal District, Chapter 20.90.700 et seq., of the Los Angeles County Code (Enclosure C), adopt the annual Garbage Collection and Disposal Service Fee Report and elect to have the Fiscal Year 2003-04 Lennox garbage collection and disposal service fees collected on the tax roll.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

As directed by the Board of Supervisors, on September 2, 1997, the Department of Public Works issued a statutory five-year advance notice to all permitted waste collectors that had continuously operated in the unincorporated Lennox community for the previous three years. The notice stated that the County intends to provide exclusive refuse collection services in the area five years from such date.

On May 22, 2001, the Board approved the Solid Waste Collection System—Option Analysis Report, dated February 2001. The Report prepared by Public Works, in concert with the Department of Health Services and County Counsel and in consultation with the solid waste industry, provided an overview of the existing solid waste collection system and identified its deficiencies. The Report evaluated alternatives to improve the system and recommended, among other things, that the County continue to work with the Lennox community in addressing their numerous complaints regarding the current open-market solid waste collection system.

A public information meeting was held on January 24, 2002, in which Lennox residents expressed their concerns regarding the deficiencies of the open-market solid waste collection system and were informed on alternative collection systems. As a result, the community requested the County to begin the process of forming a garbage disposal

district to address the current deficiencies. On April 16, 2002, the Board certified the Negative Declaration for the formation of the District and adopted a Resolution to formerly request the initiation of the formation process. On April 17, 2002, Public Works filed the necessary application package with the Local Agency Formation Commission for Los Angeles County to initiate the garbage disposal district formation process.

On June 12, 2002, the Commission adopted the Negative Declaration prepared for the District and approved the formation of the District. No objections were raised at the August 14, 2002, Protest Hearing, and the Commission ordered the formation of the District subject to voter approval. On August 20, 2002, the Board called for a special mailed ballot election to be held on October 22, 2002, in the unincorporated area of Lennox and directed the Registrar-Recorder's office to conduct the election process. Based on voters overwhelmingly approving the District's formation (85 to 15 percent), on November 20, 2002, the Commission issued a Certificate of Completion. On November 21, 2002, the Commission submitted the appropriate application and documentation to the State Board of Equalization to complete the District's formation and enable it to begin providing services by July 2003.

A request for proposals for the service contract was released on February 6, 2003. On March 6, 2003, three haulers submitted proposals. Proposers were requested to provide costs for three alternate methods for collection of refuse, recyclable materials, and green waste. Under a "blind-bid" process developed by County Counsel to enhance fairness in selecting between the three alternatives, proposals were received by an independent third party (City of Monterey Park) and screened for proposal completeness. Proposal copies without proposers' name/identification and pricing were then reviewed by Public Works to determine proposal responsiveness and proposer responsibility. All three proposals were found to be responsive. Without knowing the proposers identity, pricing for each proposal was then reviewed by Public Works. Based on the lowest responsible bid price and the operational preferences of the District, Public Works chose the alternative which calls for the automated collection, transportation, and disposal/management of commingled refuse and recyclables, and the separate collection of green waste generated by all residences, multi-family residences, businesses, and commercial/industrial establishments. After conducting an impartial evaluation and considering the administrative costs associated with operating the District, it was determined that it would cost \$1,272,000 per year to operate the District through June 30, 2008.

State law (Section 49031 of the Public Resources Code) authorizes your Board to establish an annual Garbage Disposal Collection and Disposal Service Fee to provide for refuse collection and disposal services in garbage disposal districts in the County of

Los Angeles. The collection of the Service Fee through the tax roll is the most cost-effective mechanism in the billing and accounting of this fee.

Each parcel of real property within the District will be assessed an annual Service Fee based on the number of refuse units. The number of refuse units assigned to each parcel of real property is based on the current property use classification derived from the County Assessor's tax roll. The number of units per parcel varies from one-half unit for a vacant parcel to 18 units for a community shopping center. A parcel containing a single-residential unit has been assigned one refuse unit. Multi-residential and certain commercial and industrial parcels are assessed higher amounts based on their current property use classification.

Based on the above, it is recommended that the annual Service Fee for the District be \$228 per refuse unit (\$19 per refuse unit per month) beginning in Fiscal Year 2003-04. This rate is comparable to the average residential cost among neighboring cities and communities providing similar services throughout the County of Los Angeles. It is essential that the operation of the refuse collection and disposal services within the District be made without interruption and at a reasonable cost to protect the environment and health and safety of the District's residents and business establishments.

Implementation of County Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the Service Fee provides sufficient funds for refuse collection and disposal services within the District without interruption to protect the environment and health and safety of the District's residents and business establishments. It also satisfies the goal of Service Excellence since providing continuous refuse collection and disposal services to residents and business establishments within the District improves the quality of life and protects the public health and safety in the District.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

State law (Section 49031 of the Public Resources Code) authorizes the Board of Supervisors to establish an annual Garbage Disposal Collection and Disposal Service Fee to provide for refuse collection and disposal services in garbage disposal districts in

the County of Los Angeles. The collection of the Service Fee through the tax roll is the most cost-effective mechanism in the billing and accounting of this fee. Pursuant to Section 49032 of the Public Resource Code, the voters of the District must authorize the District to prescribe the Service Fee. In addition to approving the District's formation, on October 22, 2002, the voters of the District also authorized the Service Fee.

Furthermore, the California Constitution, Article XIID, Section 6, requires that a written notice be provided to all identified parcels of property within the District by U.S. mail of the amount of the District's Service Fee imposed upon each parcel; the basis for calculating the Service Fee; the reason for the Service Fee; and the date, time, and location of a public hearing. The public hearing is to be conducted not less than 45 days from the date of the notification.

Section 5473.1 of the Health and Safety Code requires that the notice of the filing of the Garbage Collection and Disposal Service Fee Report and a time and place of hearing thereon to be published once a week for two successive weeks in a newspaper of general circulation pursuant to Section 6066 of the Government Code. California Health and Safety Code Section 5473 provides that any adopted ordinance or resolution authorizing the collection of Service Fees on the tax roll shall remain in effect until repealed or until changes have been made in rates.

The proposed Ordinance (Enclosure C) and Notice of Hearing (Enclosure B) have been reviewed and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The collection of the Garbage Collection and Service Fee for the District on the tax roll is for the purpose of meeting operating expenses and is therefore exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES

The collection of the Service Fee on the tax roll will allow the District to provide enhanced refuse, recycling, and green waste collection services to all residential, commercial, and business customers.

The Honorable Board of Supervisors
April 24, 2003
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CONCLUSION

Upon Board approval, please return two approved copies of this letter and report to Public Works. In addition, please file a copy of the Report with the Auditor-Controller on or before August 10, 2003.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel
Auditor-Controller

**Annual Garbage Collection
And Disposal Service Fee Report
Fiscal Year 2003-04
For Lennox Garbage Disposal District**



Prepared By:

**County of Los Angeles
Department of Public Works
Environmental Programs Division**

ENCLOSURE A

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2003-2004
LENNOX GARBAGE DISPOSAL DISTRICT**

INTRODUCTION

On November 20, 2002, the County of Los Angeles Local Agency Formation Commission issued a Certificate of Completion for the formation of the Lennox Garbage Disposal District. The District encompasses the unincorporated area as shown in Attachment A.

The District's formation was the culmination of a year-long process, including conducting a special mail ballot election in the unincorporated area of Lennox. On November 21, 2002, the Commission submitted the appropriate application and documentation to the State Board of Equalization to complete the District's formation and enable it to begin providing services by July 1, 2003.

The District will provide refuse, recyclable materials, and green waste collection services to all parcels of property including all residences and business establishments within its territory--approximately 5,427 housing units with an estimated population of 22,750 residents. Further, it is proposed that the Service Fee shall be collected on the tax roll.

It is essential that the operation of the refuse, recyclable materials, and green waste collection services within the District be continued without interruption to protect the environment and the public health and safety of the District's residents. The necessary funds must be available to pay the cost of collection and disposal of refuse, the collection and management of recyclable materials and green waste, and administration of the District's contract.

ANNUAL GARBAGE DISPOSAL COLLECTION AND DISPOSAL FEE

State Law (Section 49031 of the Public Resources Code) authorizes the Board of Supervisors to establish an annual Garbage Disposal Collection and Disposal Service Fee to provide for refuse collection and disposal services in garbage disposal districts in the County of Los Angeles. The collection of the Service Fee through the tax roll is the most cost-effective mechanism in the billing and accounting of this fee.

The proposed Service Fee will be established in the Los Angeles County Code, Title 20, Part 15, Chapter 20.90.700 et seq., (Attachment B). The annual Service Fee levied upon each parcel of property within the District is computed by multiplying the refuse unit charge by the number of refuse units for the current property use classification as shown in Table 1 of proposed Section 20.90.750 of the County Code. The number of

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DEPARTMENT OF PUBLIC WORKS
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2003-2004
LENNOX GARBAGE DISPOSAL DISTRICT**

refuse units per parcel varies from one-half unit for a vacant parcel to 18 units for a community shopping center. A parcel containing a single-residential unit has been assigned one refuse unit.

The basic annual refuse unit charge for each refuse unit as indicated in the proposed Section 20.90.730 of the County Code will be \$228. Accordingly, all single-family residences within the District will be assessed a total of \$228 annually for refuse, recyclable materials, and green waste collection services. Multiple-family residences and certain commercial and industrial establishments will be assessed a higher amount based on their current property use classification.

REQUIRED PROCEDURAL STEPS

The California Constitution, Article XIID, Sections 4 and 6 (Proposition 218), the California Health and Safety Code, Sections 5471 and 5473, and the California Public Resources Code, Section 49031, require that if any property-related Service Fees and charges are to be prescribed, certain steps must be completed by the County prior to its imposition. These are:

1. Prepare a written report on the Service Fee and file with the clerk of the governing body of the entity.
2. Identify all parcels upon which a Service Fee is to be imposed. Provide written notice to all identified parcels within the District by mail of the amount of the Service Fee to be imposed upon each parcel; the basis upon which the amount of the Service Fee was calculated; the reason for the Service Fee; and the date, time, and location of a public hearing on the Service Fee.
3. Advertise the legal notice of the hearing in a newspaper of general circulation on two successive weeks prior to the hearing.
4. Hold a public hearing on the new Service Fee and method of collection. At the conclusion of the hearing, by a two-thirds majority, revise the Los Angeles County Code to establish the new Service Fee and method of collection.
5. After the effective date of the revision and not later than August 10 of each year, submit a report on the Service Fee to the County of Los Angeles Auditor-Controller.

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DEPARTMENT OF PUBLIC WORKS
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2003-2004
LENNOX GARBAGE DISPOSAL DISTRICT**

ENVIRONMENTAL IMPACT REPORT EXEMPTION

It is recommended that a finding be made by the Board that modification to the Los Angeles County Code is for the purpose of 1) meeting operating expenses, including employee wage rates and fringe benefits; 2) purchasing and leasing supplies, equipment, and materials; 3) meeting financial needs and requirements; and 4) that the modification is exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the Public Resources Code.

IDENTIFICATION OF PARCELS TO BE CHARGED

Attachment C lists all parcels of real property within the Fiscal Year 2002-03 Tax Rate Areas for the District. These parcels of real property are further described in maps on file in the office of the County Assessor. These parcels of real property will be charged the appropriate Service Fee.

Map showing the entire District boundaries are included in Attachment A.

**LENNOX GARBAGE DISPOSAL DISTRICT
GARBAGE COLLECTION AND DISPOSAL SERVICE FEE**

LIST OF TAX RATE AREAS

2003-2004 ANNUAL FEE PER REFUSE UNIT	TAX RATE AREA
\$228	01352
\$228	01647
\$228	04335
\$228	05225
\$228	05237
\$228	05241
\$228	11714
\$228	11715
\$228	11716
\$228	11717
\$228	11929

INSTRUCTION SHEET FOR PUBLISHING
LEGAL ADVERTISEMENTS

TO: Executive Officer-Clerk of the Board
Board of Supervisors
County of Los Angeles

FROM: Department of Public Works
Environmental Programs Division

**NOTICE OF HEARING
ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT
FISCAL YEAR 2003-04
LENNOX GARBAGE DISPOSAL DISTRICT**

Publishing

In accordance with Section 5473.1 of the California Health and Safety Code and Section 6066 of the California Government Code, the Executive Officer-Clerk of the Board shall publish notice of the filing of a report on the Collection of the Annual Garbage Collection and Disposal Service Fee, Fiscal Year 2003-04, for the Lennox Garbage Disposal District and a hearing on the report. Publication of the notice shall be once a week for two successive weeks in a newspaper of general circulation (including the Daily Breeze [in English] and La Opinion [in Spanish]) printed and published once a week, or more often, with at least five days intervening between the respective publication dates not counting such publication dates. The period of notice commences upon the first day of publication and terminates at the end of the 14 day including therein the first day.

Forward ten reprints of the attached advertisement to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460.

Should there be any questions regarding this matter, please contact Shari Afshari, of this office, at (626) 458-3500, Monday through Thursday, 7 a.m. to 5:30 p.m.

PA:my
P:\sec\lnxbrdltrattb

Attach.

NOTICE OF HEARING

ANNUAL GARBAGE COLLECTION AND DISPOSAL SERVICE FEE REPORT FISCAL YEAR 2003-04 LENNOX GARBAGE DISPOSAL DISTRICT

Notice is hereby given that a report by the Director of Public Works has been filed with the Board of Supervisors of the County of Los Angeles as the governing body of the Lennox Garbage Disposal District recommending the establishment of the annual Garbage Collection and Disposal Service Fee for garbage, recycling, and green waste collection services to properties within the District.

Each parcel of real property within the District would be assessed an annual Service Fee based on the number of refuse units assigned to that parcel. The number of refuse units is a function of the property use classification and varies from one-half of one unit for a vacant lot and one unit for a single-family residence to 18 units for a community shopping center. Based on this formula, the annual Service Fee for a single-family residence is \$228. Multi-residential and certain commercial and business parcels are assessed higher amounts based on their current property use classification. The proposal would establish the annual Service Fee of \$228 per refuse unit beginning Fiscal Year 2003-04 and would provide for collection of the annual Service Fee on the tax roll.

Tuesday, _____, at 9:30 a.m., in Room 381 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, is the time and place which has been fixed by the Board of Supervisors to consider this matter. Any person wishing to be heard on this matter may appear before the Board of Supervisors and show cause why the proposal should not be adopted.

For further information regarding this matter, please telephone the County of Los Angeles Department of Public Works, Environmental Programs Division, at (800) 404-4487, Monday through Thursday, 7 a.m. to 5:30 p.m.

Upon 72 hours= notice, the County can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, documents are available at the Kenneth Hahn Hall of Administration in Los Angeles (500 West Temple Street), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

ATTEST:

VIOLET VARONA-LUKENS
Executive Officer-Clerk of
the Board of Supervisors

By _____

**AVISO DE AUDIENCIA PÚBLICA
REFERENTE AL REPORTE ANUAL SOBRE LAS CUOTAS DE SERVICIO DE
RECOLECCIÓN DE BASURA PARA EL AÑO FISCAL 2003-04
DISTRITO DE RECOLECCIÓN DE BASURA DE LENNOX**

Por medio de este aviso se anuncia que un reporte por el Director de Obras Públicas se ha registrado con la Junta de Supervisores del Condado de Los Angeles como el cuerpo gobernante del Distrito de Basura de Lennox, recomendando una cuota de servicio anual de Recolección de Basura y programas de reciclaje y desechos verdes a propiedades dentro del Distrito.

Actualmente, cada lote de bienes raíces dentro del Distrito de Recolección de Basura es sujeto a una cuota anual de servicio la cual está establecida sobre el número de Unidades de desechos asignadas a ese lote. El número de unidades de desechos es una función del uso de la clasificación de la propiedad y varía de la mitad (2) de una unidad para un lote vacante y una (1) unidad para una residencia de una familia, hasta 18 unidades para un centro comercial de la comunidad. La cuota anual de servicio por Unidad de desechos es actualmente \$228, para residencias de una familia. Residencias de multi unidades y ciertos centros comerciales y negocios son sujetos a cuotas más altos basado sobre su Código de Uso de Asesor de Propiedad. La proposición aumentará la cuota de servicio anual a \$228 por unidad empezando el Año Fiscal 2003-04 y proveerá la cuota de la colección del servicio anual por la oficina del Asesor de Propiedad.

El Martes, _____, a las 9:30 a.m., en el Cuarto 381 del Salón de Administración Kenneth Hahn, 500 West Temple Street, Los Angeles, California 90012, es la hora y lugar fijado donde se considerará este asunto. Cualquier persona que desea tener audiencia tocante a este asunto puede estar presente ante la Junta de Supervisores y demostrar la razón porqué la propuesta no debe ser adoptada.

Para más información sobre este asunto, favor de llamar al Departamento de Obras Públicas del Condado de Los Angeles, División de Programas del Medio Ambiente, al (800) 404-4487, lunes a jueves, 7 a.m. a 5:30 p.m.

Con aviso de 72 horas de anticipación, el Condado puede proveer información y publicaciones del programa en formas alternativas o puede proveer servicios especiales para personas con incapacidades. Copias de los documentos también estan disponibles en la Administración de Kenneth Hahn en Los Angles (500 West Temple Avenue) que es

accesible para personas con incapacidades. Para solicitar arreglos especiales SOLAMENTE o para más información con respecto al Americans with Disabilities Act (ADA), favor de comunicarse con nuestro coordinador departamental de ADA, al (626) 458-4031 o TDD (626) 282-7829, lunes a jueves, 7 a.m. a las 5:30 p.m.

CONFIRMA:

VIOLET VARONA-LUKENS
Oficial-Dependiente
Ejecutivo del
Consejo de Supervisores

Por _____